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ABSTRACT

This publication contains four papers presented by the Director of the Women's Bureau (Canada), which cover topics of concern and interest to the Bureau. Papers are: (1) "The Underemployed, Underpaid Third of the Labour Force," which presents statistical data reflecting a picture of working women in Canada, showing the occupational segregation and wage discrimination that persists, (2) "The Importance of Perseverance," which is designed to appeal to women to persevere in their efforts to rectify existing injustices in Canadian society relating to working women, (3) "A Year After the Report: Where Are We Now?" which sets out significant legislation enactments by federal and provincial governments designed to eliminate sex discrimination in employment, and (4) "Canada's International Posture on the Status of Women," which discusses two international bodies with which the Women's Bureau is closely associated, the International Labour Organization and the United Nations Commission on the Status of Women. (SB)

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women's bureau '71

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PREFACE

When *Women's Bureau '69* was published by the Canada Department of Labour, it was not foreseen that the format then adopted would become a continuing one. Had this been anticipated, a different title might have been chosen, such as "The Director's Notebook," to indicate that the publication contained some of the papers prepared and delivered by the Director during the course of the year. However, in the light of the continuing increase in demand for copies, it has been decided to retain the original format for what is now apparently becoming an annual publication.

The four papers in this *Women's Bureau '71* cover four specific areas of concern and interest to the Bureau. "The Underemployed, Underpaid Third of the Labour Force" presents statistical data reflecting a picture of working women in Canada, showing the occupational segregation and wage discrimination that still dominate the scene in our country.

The paper entitled "The Importance of Perseverance" is designed to appeal to women themselves to be strong of purpose and to persevere in their efforts to rectify existing injustices in Canadian society relating to working women.

The third paper, entitled "A Year After the Report: Where are We Now?"—referring to the Report of the Royal Commission on the Status of Women—strikes a more optimistic note: it sets out significant legislative enactments by federal and provincial governments designed to eliminate sex discrimination in employment. The working women of

Canada, as well as their trade unions and those who support their cause, are counselled to make full use of the new legislation.

The fourth paper, "Canada's International Posture on the Status of Women," provides a look at the two international bodies with which the Women's Bureau is closely associated: the International Labour Organization, through the International Labour Conference and the Panel of Consultants on the Problems of Women Workers; and the United Nations Commission on the Status of Women.

The Women's Bureau is grateful for the public support it has received as evidenced by the fact that previous editions of this publication have already gone through several printings.

Sylva M. Gelber,
Director,
Women's Bureau.

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THE UNDEREMPLOYED, UNDERPAID THIRD OF THE LABOUR FORCE

There are today in Canada nearly three-quarters of a million (678,035)[1] working women, who have more than one and one-third million (1,350,000)[2] children under the age of fourteen. They are the wives of men whose families consist of one or more children under fourteen, and who have a median income of less than six and one-half thousand dollars ($6,454)[3] a year. Or they are women without husbands, as in the case of some sixty thousand (60,083)[4] of them.

There are also today in Canada about one-third of a million (331,434)[5] women who are the ~~sole support~~ heads of families; the vast majority (206,1[illegible] widows. Consider with these, almost a million (925,000)[6] single [illegible]ng women, and it may be fair to assume that the vast majority of women, particularly married women with young children, who double their own burden by going out to work, are employed because of economic need.

[1] Estimated on the basis of data for 1967 from Canada Department of Labour, *Working Mothers and Their Child-care Arrangements* (Ottawa: Queen's Printer, 1970), p. 19.
[2] Estimated on the basis of data for 1967. See Canada Department of Labour, *op. cit.*, p. 37.
[3] Estimated on the basis of unpublished data for 1967 from the study, Canada Department of Labour, *op. cit.*
[4] Estimated on the basis of data for 1967. See Canada Department of Labour, *op. cit.*, p. 31.
[5] Estimated for 1971 on the basis of data in, Dominion Bureau of Statistics (D.B.S.), *1966 Census of Canada, Households and Families, Families by Marital Status, Age and Sex of Head*, Cat. No. 93-611 (Ottawa: Queen's Printer, 1969), Table 69.
[6] D.B.S., Labour Division, Labour Force Survey Section, *Special Tables—12 Month Averages* (mimeographed, 1970), Table 2.

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The increasing participation of women in the labour force is a fact of life not only in Canada, but in most industrialized societies today. International statistical comparisons of the size of the labour force, of course, may be somewhat misleading, particularly with regard to the developing countries, where definitions appear to be interpreted rather freely. However, some comparison in relation to developed countries may be meaningful. In many western European countries, the percentage of women in the labour force is greater than it is in this country.

Sweden and France, West Germany and the United Kingdom, as well as the United States of America,[7] all report greater participation of women in the labour force than there is in Canada. This may be due, in some part, to the availability in other countries of facilities, such as day-care centres, for those working women who have preschool age children. Be that as it may, the numbers of women entering the labour force abroad appear to be continuing to increase.

In Canada, the percentage of women in the labour force has increased from about one-quarter (25.8%) of the total ten years ago, to nearly one-third (32.1%) today.[8] At the same time, the participation rate of women, that is the percentage of all women of working age who are working outside the home, also rose from more than a quarter (27.9%) in 1960 to well over a third (35.5%) in 1970.[9] In other words, at least every third woman in Canada of working age is in the labour force.

There are today about one million more working women in this country than there were ten years ago.[10] The most recent figure shows a total of more than 2.9 million women who are working.[11] Furthermore, the largest influx of any group into the labour force in recent years has been that of women, and particularly women just beyond the current average childbearing years.[12]

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[7] "Western Europe and Canada: Characteristics of Female Employment," *Labor Developments Abroad*, Vol. 15, No. 6 (June 1970), p. 12.

[8] Dominion Bureau of Statistics (D.B.S.), Labour Division, Labour Force Survey Section, *Special Tables—12 Month Averages* (mimeographed, annual), Table 1.

[9] *Ibid.*

[10] *Ibid.*

[11] Statistics Canada, Labour Division, *Special Tables—Week Ended* July 24, 1971 (mimeographed.), Table 1.

[12] D.B.S., Labour Division, *Special Tables—12 Month Averages* (mimeographed, annual), Table 1.

The marital status pattern[13] of working women also appears to be undergoing change. Last year, half (56.7%) of working women were married, compared with 45.0% ten years ago. Single women last year accounted for only 34.4% while ten years ago this percentage was 44.5%.

The occupations[14] in which women are employed have not changed very radically in the last few years. Almost a third (32.2%) are employed as clerical workers, making up well over two-thirds (71.0%) of all persons employed in that occupation. Almost a quarter (22.6%) of the female labour force is in non-managerial jobs in service industries.

Although women comprise more than 32 per cent of the total labour force, less than 4 per cent (3.9%)[15] of the female labour force are employed in managerial positions. During the last few years, in spite of the increasing numbers of women entering the labour force, the percentage of women in managerial or executive jobs has hardly changed.

And what is the picture with regard to professional jobs? The percentage of women who are reported to be in professional and technical occupations,[16] amounting to more than fifteen per cent, (17.5%), is somewhat misleading, for within this group are those who are working in the so-called "female" professions, such as teachers, nurses and librarians. Although these occupations are certainly professional, they have never attained recognition in the economic sense when compared with male-dominated professions.

There are some male-dominated professions in countries with which Canada has a close association that are at long last beginning to report a relatively reasonable participation of women, such as the medical and legal professions. Unfortunately, Canada still lags behind these. For example, in the medical profession in Britain in 1964, almost 25 per cent (24.6%) of the doctors were women.[17] In Canada, only 12 per cent of the profession consists of women doctors.[18] In the legal

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[13] *Ibid.*, Table 2.
[14] *Ibid.*, Table 3(c).
[15] *Ibid.*
[16] *Ibid.*
[17] United Kingdom, Central Office of Information, *Women in Britain* (London: 1964), p. 12.
[18] Unpublished estimate of the Federation of Medical Women of Canada.

profession in France in 1969, 20 per cent of the lawyers were women;[19] in Canada the figure was 2.6 per cent in 1961.[20] (Hopefully this ratio will now improve, since women comprised 8.7 per cent of the undergraduate law enrolment in 1968-69.)

There are other professions too in which Canadian women are sorely lacking in representation compared with other countries. More than 20 per cent (21.9% in 1964) of the dentists in France are women,[21] compared with Canada's 3 per cent[22] (3.0% in 1970). Almost 50 per cent of the pharmacists in France (48.4% in 1962) are women,[23] whereas they account for less than 15 per cent in Canada[24] (13.3% in 1961).

The general picture, therefore, of the Canadian female labour force portrays women as clerical and office workers, sales clerks and waitresses, telephone operators, and stewardesses on airlines; but there is a dearth of planners, executives and managers in the total scene.

And what about the earnings of the women in the labour force? Quite obviously, workers, male or female, who are employed in the menial tasks in the economy are paid at the rates which match the menial occupation. The difference in so far as women are concerned, however, is that, in spite of legislation forbidding such practices, women workers are still being paid at rates consistently lower than those of men even in the same menial occupations.

A survey of average wage rates per hour in selected industries for selected occupations, showing male and female rates for similarly described occupations,[25] reveals a consistent pattern: male rates exceed female rates all down the line. The amount of the differential in many instances is considerable.

For sewing machine operators in the women's clothing trade, for example, the male rate is 74 per cent greater than the female rate. Why should a spinner in the synthetic textile trade who is a woman receive an hourly wage rate that is 41.6 per cent less than that of the male worker

[19] *Le Devoir* (Montreal), January 16, 1970, p. 11.
[20] D.B.S., *1961 Census of Canada, Occupations by Sex*, Bulletin 3.1—3 (Ottawa: Queen's Printer, 1963), p. 6—4.
[21] Andrée Lehmann, *Le Rôle de la Femme Française au Milieu du XX^e Siècle* (Paris: Édition de la Langue Française pour le Droit des Femmes, 1965), p. 30.
[22] Unpublished data, Dental Health Division, Department of National Health and Welfare.
[23] Lehmann, *loc cit.*
[24] D.B.S., *loc. cit.*
[25] Canada Department of Labour, Economics and Research Branch, *Wage Rates, Salaries and Hours of Labour 1969* (Ottawa: Queen's Printer, 1970), pp. 58 to 236.

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doing the same job? The same question can be asked with regard to the inspector of finished goods in certain rubber products industries, where the differential is equally as great.

Other examples of differentials in average wage rates per hour for similarly described occupations are to be found in the case of assemblers in the motor vehicle parts and accessories trade, where the men get a rate 68.3 per cent greater than that paid to the women for doing the same job; or machine operators in the same trade, where the difference is 64 per cent. And on and on.

These few examples, however, relate to the manufacturing industry, which accounts for only a quarter of the female labour force. In the service industries such as laundries, restaurants and hairdressing establishments, it is more difficult to present similar precise wage comparisons. The female labour force predominates in this essentially unorganized sector of the economy. The low level of wage rates paid in the service industries undoubtedly stems from the two significant words which describe the service jobs; the word "female" and the word "unorganized."

But if different rates of pay apply to women doing the same job as men in the industrial sector, it might have been expected that where brain-power was involved there would be more justice in rates of remuneration. The facts, unfortunately, reveal the same conditions among the professional workers and academics as among the rest of the female labour force.

The annual earnings of women engineers and scientists are lower than those of the men in the same profession by as much as 41 per cent.[26] The same percentage differential in median earnings, amounting to $4,000 annually, applies in the social sciences.[27] An even more revealing statistic is that in the field of social work, where, despite the fact that two-thirds of the profession is made up of women, the men earn $1,800 annually more than the women.[28]

In the academic field,[29] the picture is merely a repetition of the same type of differential pay on grounds of sex. Male professors earn

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[26] Canada Department of Manpower and Immigration, Research Branch, *Canada's Highly Qualified Manpower Resources* (Ottawa: published by the Department, 1970).
[27] *Ibid.*, p. 110.
[28] *Ibid.*
[29] D.B.S., Education Division, *Salaries and Qualifications of Teachers in Universities and Colleges 1969-70*, Cat. No. 81-203 (Ottawa: Queen's Printer, 1970), pp. 26-31.

almost 8 per cent (7.9%) more than women; assistant professors earn 5 per cent (4.7%) more; for lecturers and instructors, the difference is almost 9 per cent (8.7%). In the smaller colleges the percentage difference in men's remuneration over women's is almost half (48.7%).

There are those who endeavour to explain these differentials on the basis of such factors as level of education, experience, sector of employment and work function. Yet studies carried out by the Royal Commission on the Status of Women[30] of the factors accounting for the differential in the remuneration of academics reveal that a substantial element of the wage differential appeared to be based solely on sex.

This then, in summary, is the pattern of the Canadian female labour force in the early seventies of the twentieth century. To those who have studied labour force patterns in other countries, in other social and economic climes, there must be an uneasy sense of déja vu—a sense of having seen somewhere before similar occupational segregation and wage rate differentials. The affected group may have been a religious one, or a national one, or a racial one, or a political one. But whatever the makeup of the group, the factor that accounted for the peculiar labour force pattern was a common one: discrimination.

The present pattern of the female labour force in Canada might well be used as the bench mark against which may be measured Canada's forward march in attaining equal opportunity for women. Token appointments of individual women to individual positions will not in themselves affect the pattern of the female labour force. But the removal of the barriers which now exist will inevitably be reflected in a balanced pattern. To this end, economists should be as deeply concerned as those who plead the cause solely on the basis of justice.

For the continuing underemployment and underpayment of one-third of the total labour force is not only wasteful of human resources; it is detrimental to the Canadian economy.

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[30] *Report of the Royal Commission on the Status of Women in Canada* (Ottawa: Information Canada, 1970).

THE IMPORTANCE OF PERSEVERANCE

If women wish to achieve a social climate in our country that will permit them the freedom to pursue an occupation of choice, regardless of domestic status, then they must not only equip themselves with the requisite competence, but must also develop and exercise powers of perseverance. For while competence alone might give them the tools for their chosen occupation, outdated social attitudes may still impede their freedom to engage in it.

The world of 1971 is far advanced, both scientifically and technologically, beyond the world of only thirty years ago. But, unhappily, the attitudes that still exist in this world of 1971 do not reflect the changes in our society that should flow from these scientific and technological advances. If these attitudes are to be changed, and particularly the attitudes toward women whose potential, perforce, has undergone virtually revolutionary possibilities, then women themselves must develop and exercise the power of perseverance. Perseverance is essential in order continually to withstand outdated social attitudes and in order to bring about an enlightened view of woman's place in the contemporary world.

In particular, there must be perseverance in the refusal to accept discrimination on grounds of sex, be it in the world of employment or be it in the law; be it in practice or be it in statute. For the battle for the elimination of discrimination on grounds of sex is still a long way from being won.

Even in the Public Service of Canada, where the merit system is said to have applied, it has been shown that women have been discriminated against. The Chairman of the Public Service Commission, in a speech[1] a year and a half ago and recently in a statement[2] to the House of Commons Miscellaneous Estimates Committee, confirmed that for years the Commission had been discriminating against women in a real and subtle sense. This was also the finding of two major Reports made public in the last year.[3]

It is obvious, however, that attitudes appear to be changing. The manner in which revelations of discrimination in employment have been made, and have been received, can only be interpreted as a prologue to new and more enlightened policies. In the case of the Public Service Commission, for example, a senior officer has been appointed recently whose primary task is to ensure equal employment opportunities for women in the Public Service.

While attitudes may be changing in some areas, however, they have a long way to go in others. For example, what are the conditions in 1971 that lead to the situation, described in the press, of a trade union's threatening to strike because the employer proposed to replace the men on the night shift by women workers?

It seems unlikely, although possible, that the employer in this case was convinced that the women workers could achieve greater productivity and a superior quality of work. The more likely explanation would seem to be that the employer realized that he could achieve the same productivity at a smaller cost by the simple expedient of employing women instead of men. In other words, the employer found that there was available to him a reservoir of cheap labour: women workers.

If this assumption is correct, then one may be tempted to enquire as to the steps taken by the complaining trade union to encourage in the plant the acceptance of the principle of equal pay for equal work. For it must be recognized that had the principle of equal pay been applicable in the circumstances assumed to have existed, then the employer would undoubtedly have found that there was no particular monetary benefit

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[1] John J. Carson, "Sex and the Public Service." Speech to the Women's Canadian Club, Montreal, November 10, 1969.
[2] *Winnipeg Free Press*, March 19, 1971.
[3] Kathleen Archibald, *Sex and the Public Service* (Ottawa: Information Canada, 1970), *and Report of the Royal Commission on the Status of Women in Canada* (Ottawa: Information Canada, 1970).

to be gained in changing the workers on the night shift; there would have been no threat to the men's jobs. A woman worker is not a threat; cheap labour is!

The trade unions alone, of course, are not to blame for society's failure over the years to pay no more than lip service to the principle of equal pay for equal work. The fact is that for well over a decade most jurisdictions in Canada have had legislation on the statute books to protect workers from the unhappy results of differentials in pay based solely on grounds of sex. Unfortunately, they lay as silent statutes on the legislative bookshelves.

It was possibly because of certain provisions in the original federal and provincial equal pay laws that these were not used as they might have been, since they almost all had a defect in their design: they could be activated only on the initiative of the aggrieved person. This weakness in the law is now being rectified in a number of jurisdictions, including the federal area of jurisdiction. Under revised forms of the law, Labour Departments are beginning to be charged with direct enforcement responsibilities, which are being carried out through the usual inspection services maintained for years to enforce such legislation as minimum wage. But the principle of equal pay is not reflected as yet in actual wages and salaries across the country.

The failure to ensure the principle of equal pay for equal work can have and has had adverse effects on society as a whole and particularly during periods of unemployment. For example, one of these effects is reflected in current unemployment figures.[4] In March 1971, the unadjusted unemployment rate for persons of 25 years and over was 7.2 per cent for men but only 3.6 per cent for women.

Obviously, this difference in the unemployment rate between male and female workers is due to many factors apart from those of wage rates; certain types of employment have been affected more by the scourge of unemployment than have others. For example, women are not employed to any great extent in some of the industries where unemployment is particularly high, such as the construction industry.

But, nevertheless, it is reasonable to assume that, since there are readily available competent female workers who may acceptably be employed at lower wage rates than those being paid to male workers,

[4] Dominion Bureau of Statistics and Department of Manpower and Immigration, *Joint Press Release: Labour Force Survey, March 1971* (mimeographed).

then the employer, whose power to compete in the open market is much enhanced by virtue of low labour costs, will be sorely tempted to replace his higher paid employees.

It is also because of this likelihood, clearly illustrated by such cases as that of the night shift workers referred to above, that women will find little comfort in the fact that unemployment has hit them less than it has hit their fellow-workers who are men.

A peculiar phenomenon frequently noted in periods of unemployment in general, and in this period of unemployment in particular, is the emergence of a demand from some quarters for the prohibition on the employment of married women. Presumably what is envisaged is a legislation setting out the conditions under which married women may or may not be employed. The rationale for such requests generally is that unemployed men would have greater opportunities for employment if married women vacated the positions they hold in the labour force.

Presumably it is assumed that a man who is unemployed, regardless of his background or training, could adequately fill the position of a secretary, librarian, saleslady, nurse, school teacher, telephone operator, dental technician, or one of the numerous other jobs now held by women, including married women. Since jobs have been sex-typed to such an extent, there would seem to be few if any jobs that men could fill even if they were vacated by married women.

It also seems to be taken for granted that married women who work when their husbands are also employed are doing so in order to finance luxuries or to pay for "frills" which could be dispensed with without inflicting any hardship on the family. This assumption hardly jibes with the findings of a study[5] on the married female labour force, which concluded that the likelihood of a married woman working outside the home is greater in inverse proportion to the husband's earnings. In a study[6] carried out by the Women's Bureau it was found that mothers of young children worked in order to keep the family above the poverty level.

There are those who suggest that married women whose husbands are employed should be permitted to work only where it has been

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[5] Spencer, Byron G. and Dennis C. Featherstone, *Married Female Labour Force Participation: A Micro Study*, Canada, Dominion Bureau of Statistics Special Labour Force Studies, Series B. No. 4 (Ottawa: D.B.S., 1970).

[6] Canada Department of Labour, Women's Bureau, *Working Mothers and Their Child-care Arrangements* (Ottawa: Queen's Printer, 1970).

shown that there is financial need, presumably on the basis of a needs test or a means test. It would be interesting to measure public reaction to a proposal for a means or needs test in the case of married men of independent means; and to a suggestion that those with means should be asked to withdraw from the labour force. For surely the rationing of employment on the basis of financial need, if feasible, should apply to all persons in the labour force.

But quite apart from the patently impractical grounds of the rationale, what about the liberal precepts of this free society which prides itself on its support of the great principle set out in the Universal Declaration of Human Rights, that all human beings are equal in dignity and rights? Does marriage diminish that right for the woman?

It is true that international Declarations and Conventions do not in themselves embody the law of the land. National legislation frequently stems from the principles set out in international instruments, but the law courts of a state deal only with the body of the law enacted by that state. Thus, while a woman cannot rely on the enforcement of principles prohibiting discrimination on grounds of sex which appear in international instruments, she should be able to rely on the enforcement on her behalf of national laws promulgated for the purpose of establishing certain standards.

For example, women in Canada should have been able to rely on legislation pertaining to equal pay for equal work although the existence of such laws is frequently overlooked by employers and even by the trade unions representing women workers.

The lack of sensitivity to or awareness of existing legislation pertaining to equal pay for equal work, which may account for the failure to make use of these laws hitherto, is, unfortunately, not merely the prerogative of persons lacking learning in the law; even the learned themselves occasionally lapse. It is only some three and a half years ago that a Justice of a provincial High Court, having conceded that the plaintiff was in fact a police constable in the same sense as her male colleagues, stated:

> She is not being discriminated against by the fact that she receives a different wage, different from male constables, *for the fact of difference is in accord with every rule of economics, civilization, family life and common sense.*[7]

[7] Beckett v. City of Sault Ste. Marie Police Commissioners *et al.*, Vol. 67, Dominion Law Reports (2d), p. 294 (Ontario High Court, Ferguson, J., 1968).

At the time when this judgment was delivered, there was on the statute books of the same jurisdiction a law with provisions requiring that employers abide by the principle of equal pay for equal work [8]—provisions which have been strengthened since then.

Incidentally, it was only some four years before this judgment was given that Canada, after consultation with the provinces, had ratified an International Labour Convention, the Discrimination (Employment and Occupation) Convention 1958, pursuant to which each member undertakes to promote as a matter of public policy "equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof." Discrimination, as defined in this Convention, includes discrimination on the basis of sex.

In fairness to the arbiters of the law, it should be noted that when this judgment was subsequently referred to the provincial Court of Appeal,[9] the learned High Court Judge was somewhat chastised by his own colleagues when this portion of this judgment was described as: ". . . a sweeping generalization upon which we make no comment except to say that we do not assent to it." [10]

Even in the Court of Appeal judgment, however, there was no mention of the general principle of equal pay for equal work, or of discrimination on grounds of sex; perhaps these were no longer relevant.

The principle of prohibiting discrimination in the text of laws that come within the jurisdiction of the federal Parliament is set out in the Canadian Bill of Rights, which has been on the statute books for more than a decade. This law defines discrimination to mean discrimination on a number of grounds, including grounds of sex. In a recent case where this statute was the central point of debate, the Assistant Crown Attorney is reported to have commented: "It would be a sorry day indeed when Parliament could not differentiate between men and women and make laws for them." [11]

It is perhaps unfortunate that the Crown ultimately dropped this case, for undoubtedly the court might have been interested in a previous

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[8] Ontario Human Rights Code, 1967, Section 5.
[9] Beckett v. City of Sault Ste. Marie Police Commissioners *et al.*, *op. cit.*, p. 286.
[10] Beckett v. City of Sault Ste. Marie Police Commissioners *et al.*, Vol. 70, Dominion Law Reports (2d), p. 253 (Ontario Court of Appeal, Schroeder, McLennan and Laskin, JJ.A., 1968).
[11] Regina v. Louise Latreille, Ottawa County Court as reported in *Ottawa Journal*, June 20, 1970.

judgment in connection with the Canadian Bill of Rights which included the following: "The Drybones case (see 15-323) 64 D.L.R. (2d) 260 had established that no citizen in Canada should be treated differently in law because of his or her race or sex." [12]

It is clear, therefore, that there still remain deeply imbedded in our society, whether it be within the ranks of the trade unions or whether it be even in the ranks of those of high estate who are charged with the interpretation of our laws, attitudes that adversely affect the position of women in society today. Too often those who might have been looked to as pioneers of change have exhibited outdated views which further inhibit progress toward liberal and enlightened attitudes.

If new attitudes are to be formulated, then the onus must fall on women themselves. They must have the perseverance continually to demand the environment in which they can fully develop their potential. Perseverance and staying power are of the essence.

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[12] *Dominion Report Service*, (Criminal Law), (CCH Canadian Limited), p. 3265, Item 15-722,0., 1970.

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A YEAR AFTER THE REPORT: WHERE ARE WE NOW?

It is only one year ago that I addressed the Brockville Club of the Canadian Federation of University Women and delivered a paper [1] in which I threw out a challenge to this Federation: to accept a role of leadership in the present movement to remove existing injustices to women on grounds of sex. It was gratifying to receive from the Canadian Federation, in response, an acceptance of the challenge; and a declaration of its readiness to institute a program designed to bring about an equitable status for women university academics.

The change of climate now perceptible within the Canadian Federation of University Women, is perceptible to some extent in other areas of our society. It began to be felt even before the Royal Commission on the Status of Women presented to the government, its final Report [2] in December 1970. The establishment of the Commission, followed by the hearings that were held across the country, both succeeded in throwing into focus many inequities that had previously not been recognized. Like this Federation before its conversion, Canadian society had appeared to lack conscious awareness of the existence of injustices in law and in practices relating to the status of women in our

[1] Canada Department of Labour, "Discriminatory Practices in the Universities and a Proposed Role for the Canadian Federation of University Women", *Women's Bureau '70* (Ottawa: Information Canada, 1971).

[2] Report of the *Royal Commission on the Status of Women in Canada* (Ottawa: Information Canada, 1970).

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land. But, like your Federation, governments are beginning to take action with a view to removing unfair practices, action reflecting popular support for such measures.

As you know, the Report of the Royal Commission on the Status of Women, containing more than 160 separate recommendations, was made public in December 1970. The federal government declared its intention seriously to study its contents and, to this end, set up in the Privy Council Office the mechanism for interdepartmental consultation as a preliminary to policy making. At the same time, the Prime Minister publicly declared [3] that in denying women the full opportunity wholly to participate on an equal basis in our institutions, "we are denying to our society benefits which we can ill afford to lose." He also expressed optimism that the existing inequalities would not be permitted to continue in this land.

To the cynics, the federal government may already point to initial statutory steps which have been taken, particularly in the employment field. New employment standards relating specifically to women were recently placed on the statute books. The governmental studies of the Royal Commission's Report which are still under way, coupled with the studies being pursued by non-governmental groups across the country, will undoubtedly set the scene for further legislative action in other fields.

Within its own household, the federal government has recently initiated a program of equal opportunity for women. A Co-ordinator, Equal Employment Opportunities was appointed at a relatively senior level in the Public Service Commission, charged with responsibilities affecting some 55,000 women who work for the federal government. Among the duties assigned to this officer are: the development and planning of programs; the conducting of studies on career development and progression to levels of responsibility for women; and the formulation of recommendations in this regard which may have an important effect on the government's overall program for the employment of women in the Public Service.

Another step taken by the federal government relates to the national employment service, maintained to assist workers to find suitable employment and employers to find suitable workers. The Minister of

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[3] Rt. Hon. Pierre E. Trudeau. Address to Liberal Party Dinner, Toronto, March 3, 1971. (mimeographed).

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Manpower and Immigration, who is responsible for this service, is now required by law [4] to ensure that in referring a worker seeking employment, there is no discrimination because of sex—except, of course, when such a sex specification is based on a bona fide occupational qualification. What this means, in effect, is that where a job specifically requires a male or female worker, as for instance in the case of a model for clothing, then the referral of a man or women, as the case may be, would not be considered to be discrimination.

The federal Minister of Labour has also indicated that the government hopes that proposed amendments to the Fair Employment Practices Act to be introduced in the next session of Parliament "will further reflect the principle . . . of equality between the sexes." [5]

The provinces too have not been inactive; there has been a remarkable growth of laws relating to the employment of women, particularly in the field of human rights. The extent of this activity may be judged by the fact that, in something less than two years, there have appeared on the statute books about a dozen legislative enactments on the subjects of equal pay for equal work, discrimination, and maternity leave.

Up until 1969 there was only one province with legislation prohibiting discrimination in employment on grounds of sex; at the present time such provisions are in the laws of seven provinces.[6] Improvements have been made in equal pay legislation in five provinces, quite apart from new federal legislation.[7] At present, all but one province have statutes relating specifically to equal pay.[8] There were only two provincial statutes which made provisions for maternity leave; there are now three,[9] quite apart from the maternity leave provisions recently added to federal statutes.[10]

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[4] Canada, *Unemployment Insurance Act, 1971*, Section 142(b).

[5] Canada, *House of Commons Debates*, December 1, 1971, p. 10064.

[6] British Columbia, *Human Rights Act, 1969;* Alberta, *The Human Rights Act, 1971;* Manitoba, *The Human Rights Act, 1970;* Ontario, *The Women's Equal Employment Opportunity Act, 1970;* Québec, *An Act Respecting Discrimination in Employment, 1964;* New Brunswick, *Human Rights Code, 1971;* Newfoundland, *The Newfoundland Human Rights Code, 1969.*

[7] Canada, *Canada Labour (Standards) Code, 1971.*

[8] British Columbia, *Human Rights Act, 1969;* Alberta, *The Alberta Labour Act, 1957;* Saskatchewan, *The Labour Standards Act, 1969;* Manitoba, *The Equal Pay Act, 1956;* Ontario, *The Employment Standards Act, 1968;* New Brunswick, *Female Employees Fair Remuneration Act, 1961;* Nova Scotia, *Equal Pay Act, 1969;* Prince Edward Island, *Human Rights Code, 1968;* Newfoundland, *The Newfoundland Human Rights Code, 1969.*

[9] British Columbia, *Maternity Protection Act, 1966;* Ontario, *The Women's Equal Employment Opportunity Act, 1970;* New Brunswick, *Minimum Employment Standards Act, 1964.*

[10] Canada, *Canada Labour Code, Unemployment Insurance Act, 1971.*

These developments are particularly interesting in the light of the Recommendations of the Royal Commission on the Status of Women concerning these subjects: equal pay for equal work, discrimination on grounds of sex, and maternity leave benefits.

The subject of equal pay for equal work has been of social concern for more than a century, ever since industry began to employ women in large numbers in the factories of industrial countries. It is interesting to note that the Canadian government itself gave recognition to the principle of equal pay for equal work before the end of the First World War. In a Privy Council Order, dated July 1918, the government declared that it was a matter of policy "that women on work ordinarily performed by men should be allowed equal pay for equal work . . . ."

Following the First World War, when the International Labour Organization was established in 1919, this principle was embodied in the constitution of the organization.

Although the principle remained a dead letter during the decades that followed, the increase in numbers of and need for women in the labour force during the Second World War once more prompted the federal government to enunciate the same principle. Thus in 1942, under a Wartime Wages and Cost of Living Bonus Order, the directive was given that "basic wage rates . . . are to be paid with respect to an occupational classification . . . not with respect to particular individual employees in a classification."

With the termination of hostilities and the return of the veterans to the labour force, the equal pay principle once more disappeared into oblivion. In fact, it was not until 1951 that the International Labour Organization itself, which had incorporated the principle of equal pay in its constitution, eventually formulated an Equal Remuneration Convention.

It is this Convention, which requires that ratifying countries promote the application of the principle of equal remuneration regardless of sex, to which the Royal Commission on the Status of Women refers in one of its Recommendations, and recommends that Canada ratify its terms.

The extent to which equal pay legislation already exists in Canada, both at the federal and provincial levels of government, is surprisingly

wide, dating back twenty years in some cases. The law has existed—but equal pay for equal work has not.

Since ours is generally a law-abiding society, the impotence of the former federal and provincial laws appeared to indicate an urgent need for some examination. It was as a result of this examination that supplementary legislative action has been taken recently on the part of governments.

It was found that much of the legislation on equal pay, like the former federal Female Employees' Equal Pay Act passed in 1956 and finally revoked this year in favour of stronger provisions, could only be activated if a complaint were made in writing to the Minister by the woman employee herself. Women, working women, felt that they dared not risk the consequences of such action, lest they prejudice a much needed job. So they made no use of the law. In consequence, the law lay silent on the statute books.

The former statutory provisions, therefore, are now being set aside and teeth are being inserted into revised provisions, so that the law may achieve the purpose for which it was originally intended.

The significance for the Canadian working woman of equal pay laws, such as that which became a part of the Canada Labour (Standards) Code a few months ago, could be great. As has been shown through wage studies, many working women are not receiving the same wages as men for similar work. Many women are employed in the same establishment as men where, as the law states, they "are performing, under the same or similar working conditions, the same or similar work on jobs requiring the same or similar skill, effort and responsibility." Examples of wage differentials from one-third and up may be found in occupations ranging all the way from factory hands to university professors.

The lack of awareness of or respect for the principle of equal pay for equal work was reflected only recently in what was described by the press [11] as a "landmark arbitration award" made by an arbitration board, covering 2,500 nonprofessional employees in seven large hospitals in Toronto. The award is stated to have included wage rates "for basic male labour" as well as a "basic female rate." According to the press, the union itself had framed its demand in terms of rates for male employees and for female employees.

[11] *The Globe and Mail* (Toronto), September 10, 1971.

That some trade unions fail to press for the full implementation of the equal pay law, particularly when they speak in the name of their female members, is difficult to understand. Certainly all trade unions are not so disposed, as witness the collective agreement entered into by another trade union[12] with the City of London a year ago, in which male and female differentials were completely eliminated.

Clearly the principle of equal pay is one that is not easy to achieve. As long as officially appointed boards and trade unions themselves look upon the equal pay law with a blind eye, it is expecting too much from human nature to hope that employers will abide by it.

So much for the principle of equal pay. But that is only one part of a broader principle which, as pointed out by the Royal Commission in its Report, also requires legislative action: other forms of discrimination in employment. For while equal pay laws may provide the tool with which to rectify inequality in wages where men and women work together, there still must be some statutory means of ensuring that women are given equal opportunity to get the jobs and to get the promotions, on the basis of merit alone. The law should ensure that the way will not be closed to women solely on grounds of sex, stated the Royal Commission.

Both nationally and internationally, the principle of non-discrimination in employment on grounds of such factors as colour and religion, nationality and race, has been incorporated in international instruments and national legislation for some years. During the Second World War, at a session of the International Labour Conference held in Philadelphia, this principle was stated in a Declaration now popularly, though not unexpectedly, referred to as the Philadelphia Declaration.[13] All human beings, irrespective of sex, have the right to pursue their spiritual development as well as their material well-being in conditions of equal opportunity, it declared.

The same fundamental principle of equality and social justice was enunciated, after the War, by the General Assembly of the United Nations, when in 1948 it adopted the Universal Declaration of Human Rights.

Later, in 1958, the International Labour Organization adopted the Discrimination (Employment and Occupation) Convention, not to be

[12] *London Free Press*, July 17, 1969.

[13] Declaration concerning the Aims and Purposes of the International Labour Organization, Philadelphia, 1944.

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confused with the Equal Remuneration Convention to which reference was made above in connection with equal pay for equal work. The Discrimination Convention requires that ratifying members undertake to declare and pursue a national policy of equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination. Discrimination is defined to include any distinction, exclusion or preference on the basis of race, colour, religion, political opinion, national extraction or social origin, as well as sex.

Even before the Convention came into force, the federal government in 1953 had enacted the Fair Employment Practices Act, forbidding discrimination in employment. Many of the provinces followed suit. Although Canada ratified this ILO Convention in 1964, these early laws, with one exception, prohibited discrimination in employment on a number of grounds; sex, however, was not included.

During the last two years or so, there has been a gratifying move toward the enactment of additional provisions in these laws, prohibiting discrimination in employment on grounds of sex. As pointed out above, the federal government included such a clause in the recently enacted Unemployment Insurance Act whereby, for the first time, the national employment service is required to adhere to this principle in making referrals for employment.

When the Royal Commission on the Status of Women was appointed, there was only one law on the statute books of one jurisdiction in Canada that forbade discrimination in employment on grounds of sex. It is a significant achievement, therefore, that within a year of the publication of the Royal Commission's Report, there are provisions in the legislation of seven jurisdictions prohibiting discrimination in employment on grounds of sex.

There is one more area of legislative development to which reference must be made: maternity benefits.

It is ironic that the principle of providing maternity leave and benefits for employed women should only have become an issue at so late a date in Canada, since it was the subject of one of the first three Conventions adopted by the International Labour Conference in 1919 following the First World War. (The Convention was revised in 1952.) Possibly the fact that our great industrial neighbour to the south has still not legislated widely in this field explains the Canadian reticence.

On the other hand, views such as those expressed recently by an eminent Director of a well-established school of social work, to the effect that the maternity benefits under the Unemployment Insurance Act are merely "higher welfare payments . . . paid to certain groups in the community whose need has a very low priority,"[14] tend to mislead the public as to the facts, not to mention to distort the purpose of the program. Fortunately there is also an enlightened public opinion which, at long last, has caught up with principles first enunciated internationally 51 years ago.

It is true that one province in Canada enacted provisions relating to maternity leave soon after the initial ILO Convention was adopted, but this provincial law remained alone on Canadian statute books for some four decades before a second province enacted similar provisions.

Since the Report of the Royal Commission on the Status of Women was completed, however, maternity leave provisions have become law in two additional jurisdictions, including that of the federal government.

In the federal Canada Labour (Standards) Code, job tenure is ensured for a period of 17 weeks maternity leave. This law, which only covers women working in undertakings subject to federal labour law, such as banks and airlines, becomes more significant when it is coupled with a second federal government initiative written into the new Unemployment Insurance Act.

Under the Unemployment Insurance Act, unemployment insurance benefits are to be paid, for the first time, with respect to absence from work for reasons of maternity. This provision has perhaps not been well enough known to the women of Canada, for it will affect working women in all jurisdictions, numbering some 2.8 million.

Unemployment insurance, unlike such other provincially administered programs as health insurance, is a matter in which the federal government has been given the constitutional power to act directly. In 1940, by an amendment made to the British North America Act (the law which, in essence, may be described as the Canadian constitution), the necessary power was vested in the Parliament of Canada. Thus, unemployment insurance has been a federal program in Canada for some three decades. It is only now, however, that its coverage will be so broad as to include virtually all employees. Only now, as well, will it

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[14] Albert Rose, Director, School of Social Work, University of Toronto, letter to the editor, *The Globe and Mail* (Toronto), September 9, 1971.

include the payment of unemployment insurance in the event of maternity. The new law will provide unemployment insurance benefits for a period of 15 weeks in connection with maternity leave.

The effect of these new benefits has yet to be measured, particularly in those provinces where no legislation protects the job from which the woman must absent herself during maternity leave. It may be that the availability of the cash benefits on a national basis will encourage the provinces that have not yet entered this field to enact provisions for job security in these circumstances.

From this short summary of the progress made in the enactment of legislation relating to working women, it will be seen that, at long last, the laws required to achieve the goal of equal and fair opportunity for women are beginning to appear across the land. But the law is merely a tool; and a tool is of little value if it is not used. And even if the tool is used, it is only of value when it is properly used.

It will be recalled by those who are old enough to remember that in the early days of the Second World War, Winston Churchill avowed his faith in the people of Britain when he addressed his yet uncommitted allies, with the ringing plea: "Give us the tools, and we will finish the job."

The tools are beginning to be provided here with which to wage the battle for fair play in employment. It is up to the people of Canada, particularly women workers and those who support their cause, to finish the job.

CANADA'S INTERNATIONAL POSTURE ON THE STATUS OF WOMEN

Canadians have generally been kept fairly well informed about the role played by our country in a variety of areas in the international field. However, little has been recorded as yet of the part Canada has played, and is playing, on the international stage specifically with regard to the status of women.

Yet Canada has been involved in this type of work for a number of years. Canada was a member of the United Nations Commission on the Status of Women for a short period between 1958 and 1960. In addition, the first Director of the Women's Bureau of the Canada Department of Labour was invited, almost a decade ago, to become a member of the International Labour Organization's Panel of Consultants on the Problems of Women Workers, an appointment which she held until 1969.

Both the United Nations Commission on the Status of Women and the Panel of Consultants of the International Labour Organization, as their names imply, are specifically concerned with the status of women in the countries associated with these two international parent bodies.

The International Labour Organization is, of course, the only international agency that can trace its continual existence back to the days immediately after the First World War, when Canada was among its founding members. Although its home base was and still is in Geneva, Switzerland, the site of the ill-fated League of Nations, the

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Organization was temporarily housed in Canada during and immediately following the Second World War; thus Canada bears toward it a particularly warm feeling of kinship. The ILO is primarily concerned with matters pertaining to working people, and many of the international instruments which it has devised and which it monitors directly affect working women.

The United Nations Commission on the Status of Women, on the other hand, is a relatively young body, established by the United Nations Economic and Social Council in 1946. Its function is to make recommendations designed to promote women's rights; and to develop proposals giving effect to the principle that men and women should enjoy equal rights in all spheres of modern-day life. The Commission is made up of only 32 countries, elected for a specified number of years on a regional basis, so as to permit as wide a participation of member states as possible, while at the same time preserving a small though representative body.

Canada was re-elected to the United Nations Commission on the Status of Women in 1970, thus re-establishing an active participatory role in that agency after a break of several years. There has been no break, however, in Canada's direct participation in the work of the International Labour Organization nor in the work of that Organization's Panel of Consultants on the Problems of Women Workers, to which the present Director of the Women's Bureau was appointed, following in the footsteps of the Bureau's first Director.

Recently Canada has been particularly active in matters concerning the status of women both at the International Labour Organization and at the United Nations Commission on the Status of Women.

Canadian initiative during the last session of the United Nations Commission on the Status of Women, for example, accounted for a particularly satisfactory achievement designed to bring about some measure of change in the composition of the Secretariat of the United Nations itself, and in the related agencies. It should have the effect of furthering the employment of more women in the senior ranks of the international civil service. This initiative stemmed from the knowledge that among the most senior appointments in the international bodies, there are few women.

For a decade, an outstanding Canadian woman filled the post of Deputy Executive Director of UNICEF.[1] Following her retirement in 1967, the number of women in the senior ranks of the international civil service was no greater than it had been at the time of her appointment.

Efforts had been made on a number of occasions to place before the General Assembly of the United Nations recommendations adopted by the United Nations Commission on the Status of Women concerning the employment of women by the United Nations and its related agencies. However, on such occasions, the General Assembly had merely confined itself either to taking note of the recommendation or to taking no action whatsoever. Certainly, the Secretariat of the United Nations itself did not welcome such efforts by the Commission.

As a rule, the Secretary-General of the United Nations or other officers of the Economic and Social Council, in presenting these recommendations, claimed that the Commission's resolution regarding the appointment of women to senior posts in the international service raised questions that fall exclusively within the discretion of the Secretary-General.

It was claimed also that, in the absence of evidence that the Secretary-General was not adhering to the provisions on the selection of personnel set out in the Charter, or was failing to adhere to staff regulations, both of which prohibit discrimination on grounds of sex, it was inappropriate to take action as requested by the United Nations Commission on the Status of Women.

The Secretariat also raised the bogey of special measures to ensure the employment of women, claiming that this would amount to discrimination in reverse.

In mitigation of the fact that few women served in senior positions in the Secretariat of the United Nations, it was also claimed that the Secretariat relied heavily on member governments; it was suggested, therefore, that the Commission's objective could best be served by addressing member governments rather than the international organization itself.

[1] Mrs. D. B. Sinclair, S.M., O.B.E., M.A., LL.D., D.Sc.Soc., L.H.D., former Director of the Women's Royal Canadian Naval Service during the Second World War and subsequently Executive Assistant to the Deputy Minister of Welfare, Department of National Health and Welfare.

Having put forward all these reasons for not taking any action, it was then contended that it was up to the Fifth Committee of the General Assembly to take up the specific issue of the employment of women, since the authority to regulate appointment policies was vested in the General Assembly.

All of this having been said and nothing having been accomplished, the Canadian delegation at the United Nations Commission on the Status of Women, at the session held in Geneva in March 1970, thought the time had come to initiate more positive action.

Thus, the delegation discussed with friendly governments a draft resolution for which it sought as wide support as possible. The resolution urged the United Nations and the intergovernmental agencies to take appropriate measures to ensure the employment of women at senior or other professional levels.

Furthermore, the resolution requested the Secretary-General to include in his report to the General Assembly, on the composition of the Secretariat data on the employment of women at senior and other professional levels, including their numbers and the positions they occupy.

This resolution was introduced at the United Nations Commission on the Status of Women by Canada; it was co-sponsored by nine other countries representing a broad cross section of the United Nations membership. Several socialist countries did not wish to co-sponsor the resolution on the grounds that discrimination against women in international bodies was merely a reflection of the discrimination practised in capitalist countries. They claimed that in socialist states there is no such phenomenon! However, they did not vote against the resolution, which was adopted.

Since the Commission on the Status of Women is an offshoot of the Economic and Social Council of the United Nations, a Commission resolution directed to the General Assembly must be adopted by the Council itself. Consequently, at its meetings in May 1970, the Economic and Social Council passed the Commission's resolution, with minor amendments, for onward transmission to the General Assembly.

The ways of bureaucracy are not simple, however. The subject matter of the Council's resolution at the United Nations came within the purview of the work of two committees: the Fifth Committee insofar as the Secretary-General's report on staff was concerned, and the Third Committee, which deals with social policy.

In December 1970, the Fifth Committee, which quite coincidentally was chaired on that occasion by a Canadian, voted to include in its report a request to the Secretary-General to include data on women employed in senior positions in the United Nations Secretariat. The Third Committee also adopted the resolution transmitted by the Economic and Social Council.

In its final form, as in the initial draft formulated by the Commission on the Status of Women, the resolution expressed the hope that the United Nations, including the special bodies and all intergovernmental agencies of the United Nations family of organizations, would set an example with regard to the opportunities they afford for the employment of women at senior and other professional levels.

The General Assembly itself urged the United Nations, including its special bodies and agencies, to take or continue to take appropriate measures to ensure equal opportunities for the employment of qualified women in senior and other professional positions. The General Assembly requested the Secretary-General also to include in his report on the composition of the Secretariat data on the employment of women at senior and other professional levels by each of the Secretariats of these bodies, including the numbers of women employed and the positions occupied by them.

The General Assembly took further note of the report it had received from the Fifth Committee in which it was pointed out that in the Secretariat of the United Nations, only 6 per cent of the senior-level staff consisted of women. (In fact, over a period of 26 years, no woman has attained the key post of an Assistant Secretary-General, although there are 18 such posts available.[2])

The Secretary-General will now include in his report to the General Assembly at the 26th Session data on women employed in the United Nations Secretariat. The results should prove to be revealing.

Throughout the march of this resolution from its inception to its successful conclusion, Canadian representatives gave full support to the principle involved.

The international work of Canada in connection with the status of women will continue within the family of the United Nations organizations, not only by virtue of membership in the United Nations Commis-

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[2] *The London Free Press*, October 13, 1971.

sion on the Status of Women, but also by virtue of participation in the International Labour Organization.

For a considerable number of years, the Canadian government delegation to the International Labour Conference, which is an important segment of the International Labour Organization, has included some women. These have been involved in the normal work of the International Labour Conference, whether or not this work has related to matters of concern specifically to women.

Canadian participation in the work of the Organization, and particularly in the annual Conference, has made it possible to have some influence on those international instruments, be they Conventions or Recommendations, that relate in whole or in part to the employment or well-being of women.

The subject of the status of women is one that has been receiving greater attention in recent years. It was reflected in a number of documents and activities that marked the latest Conference of the ILO, held in June 1971.

Even before it had convened, a memorandum addressed to ILO members included the following paragraph:

> It will be noted that the items on the agenda of the 56th Session concern women as much as men. The attention of governments is therefore drawn to the fact that women are equally eligible with men for appointment as delegates or advisers to the Conference, irrespective of the nature of the items on the agenda, and that article 3, paragraph 2, of the Constitution of the Organization provides that, when questions specially affecting women are on the agenda, one at least of the advisers should be a woman.[5]

Then, in his report entitled *Freedom by Dialogue: Economic Development by Social Progress; The ILO Contribution*, the Director-General included the following revealing paragraphs:

> Wholly different from these inequalities in its nature, but like them a serious affront to social justice and a disturbing failure to develop the human potential of society, is the persistent inequality in the status of women in employment. The measures adopted in the earlier years of the Organization to protect working women against bad working and living conditions still have every justification in many cases; the emphasis, however, has now changed clearly to promoting greater equality of opportunities and treatment, a notable

[5] International Labour Organization, *Memorandum on the 56th Session of the International Labour Conference, 1971* (Geneva: I.L.O., 1970), p. 11.

example being the Equal Remuneration Convention, 1951 (No. 100), which is now in force for seventy-one countries. Nevertheless, acceptance of the principle of non-discrimination has not always been followed by measures to promote true equality and to overcome the prejudices and other obstacles in the way of the employment of women. Even in the advanced countries, where significant progress has been made in the emancipation of women, complex problems have arisen in attempts to secure them greater equality of access to employment and to vocational training, an even equality in remuneration. Old prejudices against the employment of women, although dying away, still persist in many cases; job openings for girls and women tend to be in the lower-level, least skilled and less well paid occupations; many opportunities for vocational training are available only to men; the reconciliation of work on an equal footing with men with domestic responsibilities remains a problem. In many developing countries the scarcity of jobs in urban areas makes these problems still more acute and only a vast expansion of employment opportunities can provide for any real breakthrough. But special measures are needed to make women real partners in the development process. How can the ILO give fuller effect to the principle of non-discrimination on the basis of sex? What should be its contribution to the more effective integration of women into the fabric of economic and social life?

The graver inequalities are grave because of the injustice they involve, but they are no less grave because of their effect on the general progress of society, because of their inhibiting effect on the rate of economic development, and because of the further element of explosiveness which they add to political and social instability. How can the ILO come to grips with them more boldly and effectively? What guidance has the Conference to offer on the response which we should make to these challenges?[4]

Thus, at the 1971 Conference, the scene was set for further discussion of the subject of women in the labour force in this changing world. In addressing a plenary session, the Minister of Health and Social Affairs of Sweden expressed the need for a review of the ILO recommendation on the subject of the employment of women with family responsibilities, Employment (Women with Family Responsibilities) Recommendation, 1965:

> Another important matter as far as employment policy is concerned is the necessity of taking into account the new status being accorded to women. In labour market planning—both nationally and within

[4] Report of the Director-General, Part I, International Labour Conference, 1971 (Geneva: International Labour Office, 1971), pp. 27-28.

> the World Employment Programme—women should be seen as an integrated part of the labour force, not as a marginal group with strictly limited duties. Numerous obstacles to the gainful employment of women exist in all our countries, in the form for instance of an excessively traditional view of male and female roles in the family and society. In this context I should like to suggest that the time has come to start preparing a review of the Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123), in accordance with the resolution adopted in the same year providing for a periodic review of the application of the Recommendation.[5]

The question of reviewing existing international instruments that, in the view of a number of industrial states, appear to be outdated was also raised in one of the committees of the Conference. In its report to the Conference it was recommended that a study be undertaken as to the effectiveness of certain ILO "protective" Conventions, which now appear to pose obstacles to female workers in achieving principles set out in other Conventions. Particular reference was made to the manner in which certain outdated standards now appear to impede the achievement of equal opportunity for women in employment. In this committee the Canadian government delegate played an active part..

In another committee, the Canadian government delegate laid particular emphasis on the need to ensure that, in all ILO Social Security Conventions and Recommendations, member states are required to ensure that benefits are provided without discrimination on grounds of sex.

Canada will continue to provide initiative and give support to the measures it considers to be necessary to ensure that international labour instruments are brought into line with modern-day concepts of equal opportunity for women in employment.

Within the ranks of the appropriate international agencies, the voice of Canada will continue to be heard, wherever the cause of enlightened action demands, so as to achieve social justice for women, both within the international institutions themselves and within the member states which together make up the United Nations family.

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[5] (The Hon. S. Aspling) International Labour Conference, *Provisional Record*, 56th Session (Geneva, 1971), p. 269.